

quinn emanuel trial lawyers | houston

700 Louisiana Street, Suite 3900, Houston, Texas 77002-2841 | TEL (713) 221-7000 FAX (713) 221-7100

April 9, 2025

VIA ECF

Hon. Alvin K. Hellerstein
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Charlie Javice and Olivier Amar, 23 Cr. 251 (AKH)

Dear Judge Hellerstein:

Ms. Javice renews her motion to fully unseal the transcript from the Court's *ex parte* conference with Mr. Amar's counsel regarding his antagonistic defense strategy held on January 23, 2025. ECF No. 332.

During the January 23, 2025 pretrial hearing on Ms. Javice's motion to sever, the Court permitted Mr. Amar's counsel to make an *in camera* proffer about the substance of his antagonistic defense. This was done outside the presence of Ms. Javice's defense counsel. The same day, the Court sealed the relevant portions of the transcript, preventing Ms. Javice's counsel from uncovering the extent of Mr. Amar's antagonistic defense. On March 5, 2025, upon Ms. Javice's motion, the Court unsealed the transcript, but allowed Mr. Amar's counsel to redact certain portions. Tr. 3/5/2025 1370:11-17. As a result of this sealing procedure and subsequent redactions, Ms. Javice received the transcript attached to this renewed motion as Exhibit A.

On March 16, 2025, Ms. Javice again moved for a fully unredacted transcript of Mr. Amar's *ex parte* conference. ECF No. 332. The government took no position, ECF No. 357, and Mr. Amar did not indicate any written or verbal opposition. The Court has not ruled on Ms. Javice's motion.

To date, Ms. Javice has not received an unredacted transcript of Mr. Amar's *in camera* proffer indicating the full extent of Mr. Amar's planned antagonistic defense. The sealing procedure and redactions violated Ms. Javice's due process right to a fair trial and impaired her right to present a defense. The unredacted transcript remains essential for Ms. Javice to effectively

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prepare her post-trial motions. Thus, Ms. Javice respectfully requests for the Court to unseal the transcript and produce it to her.

Respectfully submitted,

/s/ Sara C. Clark

Sara C. Clark

700 Louisiana Street, Suite 3900

Houston, TX 77002

Telephone: (713) 221-7010

saraclark@quinnemanuel.com

cc: All Counsel of Record